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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/842,533

04/25/2001

Steven Winnett

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02/06/2003

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EXAMINER

KIM, AHSHIK

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 02/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,533

Applicant(s)

WINNETT, STEVEN

Examiner

Ahshik Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/25/01 (Original Application).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/25/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. This application has been filed with some informal drawings (figures 1, 3, and 4), which
5 are acceptable for examination purposes only. Formal drawings will be required when the
application is allowed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

- 10 obviousness rejections set forth in this Office action:

15 (a) A patent may not be obtained though the invention is not identically disclosed or
described as set forth in section 102 of this title, if the differences between the subject
matter sought to be patented and the prior art are such that the subject matter as a whole
would have been obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability shall not be negated
by the manner in which the invention was made.

2. Claims 1-11, 15, 16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable
20 over McClure et al. (US 6,250,548) in view of Anno et al. (US 5,189,288).

Re claims 1-7, 10, 11, 15, 16, and 18-20, McClure teaches a comprehensive electronic
voting system and the method for conducting an election (see abstract; wherein eligible voters
are registered, and assigned a unique identification number (col. 15, lines 18-46); the voters on
election day conduct the voting utilizing display showing election selections (see abstract; col. 2,
25 lines 50+; col. 4, lines 58+); the voters after their identification verifications, selects candidates
and issues and cast their ballots. The electronic voting record from each booth is transmitted to

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central locations, and saved in the voting machine for later retrieval and audit if needed (col. 42, lines 36+).

McClure fails to specifically teach or fairly suggest of publishing election results in the voting booth as recited in claims 1, 5, and 6.

5 Anno teaches an automated voting system (see abstract) wherein the selection of the voter is electronically saved and the results are also printed on identifiable voter's card (col. 2, lines 3+; col. 2, lines 20+).

In view of Anno's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to further incorporate a printing module to the teachings of in
10 order to provide the voters the selections that they made. Although McClure provides ample opportunity to decide on candidates or issues before one pushes cast ballot button 84, the voters often second question themselves once they cast a ballot. By incorporating receipt printing feature disclosed in Anno, such doubts can be easily avoided, and therefore an obvious expedient. Since McClure already contains all the information within the voting machine
15 regarding a voter and the selections he/she made, printing the information would have been relatively easy and obvious to one ordinary skill in the art.

Re claims 8 and 9, McClure also discloses sending and receiving absentee ballots (col. 29, lines 42+).

20 3. Claims 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClure et al. (US 6,250,548) as modified by Anno (US 5,189,288) as applied to claim 1 above,

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and further in view of West et al. (US 6,175,833). The teachings of McClure as modified by Anno have been discussed above.

McClure/Anno fail to specifically teach or fairly suggest of posting election results in public places such as an electronic bulletin board.

5 West teaches on-line voting system wherein each voter is recognized by unique identification number 72 - GUID (col. 5, lines 47+), and the results of the election/voting is continuously display on the Internet (col. 4, line 63 – col. 5, line 27). As recited in claim 14, the Internet includes a telecommunication network, and a voter can retrieve the voter's previous voting related data as shown in figure 6.

10 In view of West's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate well-known electronic bulletin board to the teachings of McClure/Anno in order to provide information regarding the results of the voting/election. Information sharing over the Internet is gaining fast acceptance and utilized in wide range of applications. MdClure discloses Internet-voting as one of many embodiments.

15 Accordingly, displaying related information such as up-to-date voting results over the Internet as shown in West would have been an obvious extension, well within the ordinary skill in the art. Moreover, individual's voting can also be verified over the Internet by displaying impersonal user-id, and without disclosing personal information.

20

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kilian et al. (US 5,495,332); Challener et al. (US 6,81,793); De Phillipio (US 4,015,106); Chisholm (US 5,400,248); Peralto (US 5,878,399); Sehr (US 5,875,432); Graft, III

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(US 5,278,753); Chumbley (US 5,610,383) disclose electronic/verifiable voting and related methods.

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (703)305-5203 . The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax number directly to the Examiner is (703) 746-4782. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Ahshik Kim
Patent Examiner
Art Unit 2876
January 28, 2003


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800